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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,081	04/25/2001	Timothy Alderson	017750-700	641.1
7590	07/02/2004			
Patrick D. Keane, Esq. BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			EXAMINER COUSO, YON JUNG	
			ART UNIT 2625	PAPER NUMBER b

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/841,081

**Applicant(s)**

ALDERSON ET AL.

**Examiner**

Yon Couso

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-21 and 27 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 22-26 and 28 is/are rejected.
- 7) ☒ Claim(s) 3-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. The disclosure is objected to because of the following informalities: Throughout the specification, information regarding related application data is missing.

Appropriate correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al (US Patent No. 5,949,919).

As per claims 1 and 26, Chen teaches a method of processing image data, the method comprising the steps of: acquiring a frame of image data and compressing a dynamic range of the frame of image data using a DRC algorithm that utilizes down-sampling, median filtering, and up-sampling (column 25, line 37-column 26, line 64).

As per claim 2, Chen teaches normalizing the frame of image data prior to the step of compressing dynamic range (502 in figure 19A).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 22, 23 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Gonsalves et al (US Patent No. 6,269,195).

As per claims 22 and 28, Gonsalves teaches a method and an apparatus of approximating a gaussian-blur filter, the method comprising: applying a first box filter having a first kernel size to a group of pixels of a frame of image data (84 in figure 6); and applying a second box filter having a second kernel size to the group pixels, wherein first kernel coefficients for the first box filter and second kernel coefficients for the second box filter are configured to approximate a resultant gaussian function (86 in figure 6 and column 2, lines 9-18).

As per claim 23, Gonsalves teaches that the second kernel size is greater than or equal to the first kernel size (column 7, lines 54-57).

4. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonsalves et al.

The arguments advanced in paragraph 3 above as to the applicability of the reference are incorporated herein.

As per claims 24 and 25, the shape of box filter being symmetric and/or asymmetric would have been a matter of design choice for one of ordinary skill in the art. As evidenced by the Gonsalves reference, box filter can be configured to 3X3 (symmetric) or 3X1 (asymmetric) (column 2, lines 9-18) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to apply symmetric and/or asymmetric box filters so that the system would be configured to approximate a resultant gaussian function (86 in figure 6 and column 2, lines 9-18).

5. Claims 3-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 11-21 and 27 are allowed.

7. The following is an examiner's statement of reasons for allowance: prior art fails to teach or suggest a method and an apparatus of dynamic arrange compression of image data, the method comprising the steps of down-sampling a frame of image data comprising a first array of pixels to generate a second array of pixels, applying a first median filter to the second array of pixels to generate a blurred array of pixels, up-sampling the blurred array of pixels, and removing at least a portion of low frequency gradient data generated by previous steps from the frame of image data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

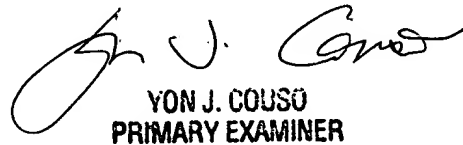
Barrett, Yamaguchi et al, Go, and Lubin et al are also cited.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yon Couso whose telephone number is (703) 305-4779. The examiner can normally be reached on 8:30 am –5:00 pm from Monday to Friday

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.



YON J. COUSO  
PRIMARY EXAMINER

Yjc

June 25, 2004